

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

**CHINESE COMMUNITY CONCERNS, CORP.;
CHINATOWN HEAD START
EMPLOYER**

and

**BETTY TRUONG, an Individual
PETITIONER**

Case No. 02-RD-140471

and

**LOCAL 95, DISTRICT COUNCIL 1707, AFSCME, AFL-CIO
UNION**

ORDER DISMISSING PETITION

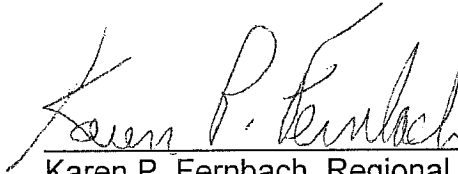
At all relevant times, the Employer has been a member of the Head Start Sponsoring Board Council, a multi-employer bargaining association, and party to a contract that expires on January 31, 2015. The evidence further shows that the contract referenced above has a recognition clause, Art. 1, which describes the multi-employer bargaining unit as follows:

The collective bargaining unit covered by this Agreement consists of all permanent full-time Teachers, Assistant Teachers, Family Service Coordinators, Social Workers, Family Assistants, Family Workers, Health Aides, Bookkeepers, Secretary-Bookkeepers, Secretaries, Record Clerks, Cooks, Custodians, Helpers, Bus Matron, Bus Driver/Custodian, Assistant Custodian, Nutrition Service Staff, Health Service Staff, Family Service coordinator and all permanent part-time employees employed by Employers represented by the HSSBC in the preceding categories who regularly work fifteen (15) hours per week or more. Further, any new non-managerial positions shall be included in the bargaining unit. Managerial positions include the following: Directors, Deputy Directors, Administrative Assistants, Education Directors and other positions with a community of interest. All other employees of the Agency, including specifically all permanent full-time Directors, Deputy Directors, Assistant Directors, Educational Directors, Substitute Teachers, Executives, Guards and part-time employees regularly working less than fifteen (15) hours per week are excluded from the unit.

matter. Accordingly, having duly considered the matter,

IT IS HEREBY ORDERED that the petition in this matter be, and it hereby is, dismissed.¹

Signed at New York, New York
December 10, 2014



Karen P. Fernbach, Regional Director
National Labor Relations Board
Region 2
26 Federal Plaza, Room 3614
New York, New York 10278

¹ Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Order may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street, N.W. Washington, D.C. 20570-0001.

Procedures for Filing Request for Review: A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (5 p.m. Eastern Time) on December 24, 2014, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is accomplished by no later than 11:59 p.m. Eastern Time on December 24, 2014. Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically. Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the Efiling system on the Agency's website at www.nlr.gov. Once the website is accessed, click on E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.